

# Clerk of the Circuit Court

## DESCRIPTION

The Hanover County Circuit Court Clerk's Office is a creation of the Virginia constitution and is headed by an elected Circuit Court Clerk. Its four primary responsibilities are maintenance of public records pertaining to real estate, probate, the court system, and collection of fines, costs, taxes, and fees. The Clerk's Office also performs many other duties such as administering oaths to law enforcement and government officials, qualifying ministers to perform weddings, storing election records, and issuing marriage licenses and concealed weapons permits. The office's primary responsibilities are described below.

**Maintenance of records:** The Clerk's Office is a repository for copies of documents pertaining to real estate such as deeds, plats, and deeds of trust. The Clerk's Office also maintains judgments, financing statements, wills, and court orders. These records are indexed and are available to the public for examination.

**Probate:** The Clerk's Office has the responsibility for admitting wills to probate, qualifying executors and administrators, and maintaining copies of fiduciary accounting records.

**Circuit Court:** The Clerk's Office is responsible for maintaining official court records for civil and criminal litigation cases. The Clerk's Office maintains the Court's dockets, which are lists of the active cases pending in the Circuit Court. It also issues subpoenas and summons and prepares records for cases that are appealed to appellate courts. Deputy clerks staff courtrooms while court is in session and draft over 1,500 criminal court orders annually. Jury coordination is also handled by the Clerk.

**Collection of fees, court costs, fines, and taxes:** The Circuit Court Clerk's Office collects several million dollars annually that is transferred to State and local governments. It also collects clerk's fees on most transactions. The clerk's fees collected in excess of the office's authorized expenses are distributed to the state and county government.

## GOALS AND OBJECTIVES

- Continue work on digital imaging system by implementing a system of long term support and maintenance;
- Continue process of verifying and correcting backfiled converted data in the digital imaging system; and
- Secure sufficient staff to fully process historically neglected tasks such as evidence destruction.

## SERVICE LEVELS

	<u>FY05 Budget</u>	<u>FY05 Actual</u>	<u>FY06 Budget</u>	<u>FY06 Forecast</u>	<u>FY07 Budget</u>
Per capita cost of operating department	\$10.13	\$10.45	\$11.68	\$ 12.18	\$ 12.18
Land records recorded	30,000	26,423	30,000	28,500	32,000
Wills probated/Administrators appointed	340	354	340	355	360
Marriage Licenses issued	620	586	575	590	600
Notary public appointments processed	340	447	425	450	450
Judgments docketed	2,500	2,513	2,500	2,550	2,600
Criminal cases	1,900	1,915	1,915	1,950	2,000
Civil cases filed	1,170	1,110	1,150	1,150	1,210
Concealed weapon permits issued	540	584	600	380	400

Note: The FY05 service levels for notary publics, judgments docketed, civil and criminal cases filed and concealed handgun permits issued are calendar year 2004 totals.

## BUDGET HIGHLIGHTS

### FY06

Salaries and fringe benefits increased due to continued higher health insurance costs and the reclassification of two positions. The large increase in operating expenditures is primarily due to the budgeting of the Technology Trust grant from the Compensation Board. Capital outlay funding for two work stations in the Records Room and a work station for an employee hired in FY05.

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## BUDGET HIGHLIGHTS (continued)

FY07

The Clerk's budget is primarily a maintenance budget. \$12,000 was added for a high density file cabinet.

## BUDGET SUMMARY

### Expenditures

	<u>FY05</u> <u>Budget</u>	<u>FY05</u> <u>Actual</u>	<u>FY06</u> <u>Budget</u>	<u>FY07</u> <u>Budget</u>	<u>Percent</u> <u>Change</u>
<b>Circuit Court Clerk</b>					
Salaries and Fringe Benefits	\$ 803,400	\$ 805,875	\$ 866,670	\$ 930,407	7.4%
Operating Expenditures	135,877	154,580	252,344	246,153	-2.5%
Capital Outlay	12,000	20,819	-	12,000	100.0%
<b>Total Expenditures</b>	<b>\$ 951,277</b>	<b>\$ 981,274</b>	<b>\$ 1,119,014</b>	<b>\$ 1,188,560</b>	<b>6.2%</b>

### Revenue

State Share of Local Offices	\$ 379,000	\$ 411,849	\$ 423,000	\$ 442,000	4.5%
Transfer Fees	5,000	3,494	5,000	4,000	-20.0%
Tax on Wills	19,000	26,316	20,000	21,000	5.0%
Commonwealth's Attorney's Fees	4,000	3,864	4,000	4,000	0.0%
Excess Fees	418,000	427,383	482,000	448,000	-7.1%
Law Library Fees	28,000	14,920	13,000	13,000	0.0%
Juror Reimbursement	13,000	10,230	13,000	15,000	15.4%
Technology Trust Fund	-	40,312	110,000	115,000	4.5%
<b>Total Department Generated Revenue</b>	<b>\$ 866,000</b>	<b>\$ 938,368</b>	<b>\$ 1,070,000</b>	<b>\$ 1,062,000</b>	<b>-0.7%</b>
Generated Revenue Percent of Budget	91.0%	95.6%	95.6%	89.4%	

### Other General Fund Revenue

	<b>\$ 85,277</b>	<b>\$ 42,906</b>	<b>\$ 49,014</b>	<b>\$ 126,560</b>	<b>158.2%</b>
Other General Fund Percent of Budget	9.0%	4.4%	4.4%	10.6%	

### Total Revenue

	<b>\$ 951,277</b>	<b>\$ 981,274</b>	<b>\$ 1,119,014</b>	<b>\$ 1,188,560</b>	<b>6.2%</b>
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Full-time Positions	15	15	15	15	0.0%
Part-time Positions	4	4	10	10	0.0%
Full-time Equivalents	15.6	15.6	15.6	15.6	0.0%

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<b>FUTURE FUNDING ISSUES</b>	<b>FY08</b>	<b>FY09</b>	<b>FY10</b>	<b>FY11</b>
	<u>Plan</u>	<u>Plan</u>	<u>Plan</u>	<u>Plan</u>
Salaries and Fringe Benefits	\$ 1,003,810	\$ 1,043,086	\$ 1,083,898	\$ 1,126,307
Operating Expenditures	253,538	261,144	268,978	277,047
Capital Outlay	1,200	-	-	-
<b>Total Expenditures</b>	<b>\$ 1,258,548</b>	<b>\$ 1,304,230</b>	<b>\$ 1,352,876</b>	<b>\$ 1,403,355</b>
<b><u>Revenue</u></b>				
State Share of Local Offices	\$ 453,000	\$ 464,000	\$ 476,000	\$ 488,000
Transfer Fees	4,000	4,000	4,000	4,000
Commonwealth's Attorney's Fees	4,000	4,000	4,000	4,000
Excess Fees	461,000	475,000	489,000	504,000
Law Library Fees	13,000	13,000	13,000	13,000
Juror Reimbursement	15,000	15,000	15,000	15,000
Technology Trust Fund	118,000	122,000	126,000	130,000
Interest on Fines	14,000	14,000	14,000	14,000
<b>Total Department Generated Revenue</b>	<b>\$ 1,104,000</b>	<b>\$ 1,134,000</b>	<b>\$ 1,165,000</b>	<b>\$ 1,197,000</b>
Generated Revenue Percent of Budget	87.7%	86.9%	86.1%	85.3%
<b>Other General Fund Revenue</b>	<b>\$ 154,548</b>	<b>\$ 170,230</b>	<b>\$ 187,876</b>	<b>\$ 206,355</b>
Other General Fund Percent of Budget	12.3%	13.1%	13.9%	14.7%
<b>Total Revenue</b>	<b>\$ 1,258,548</b>	<b>\$ 1,304,230</b>	<b>\$ 1,352,876</b>	<b>\$ 1,403,355</b>
Full-time Positions	16	16	16	16
Part-time Positions	10	10	10	10
Full-time Equivalents	16.6	16.6	16.6	16.6

The plan includes funding an additional Deputy Clerk in FY08.